

FEB. 16. 2005 3:33PM

CALFEE HALTER GRISWOLD

NO. 6887—P. 1—



**SCWSCS 17 FEB 2005**  
**CALFEE, HALTER & GRISWOLD LLP**

February 15, 2005

TO: Office of Initial Patent Examination's Filing Receipt Corrections **CONFIRMATION**  
FAX NUMBER: 703-746-9195  
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PHONE NUMBER: 216-241-0816

FROM: Kenneth J. Smith  
DIRECT DIAL PHONE NUMBER: 216-622-8674

CLIENT NO.: 22188      MATTER NO.: 06858      CLIENT NAME: Swagelok Company

NUMBER OF PAGES (including this page): **17**

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PAGE 17 \* RCVD AT 2/16/2005 3:32:05 PM [Eastern Standard Time] \* SVR:USPTO-EFXXF-2/0 \* DNIS:7469195 \* CSID:2162410816 \* DURATION (mm-ss):02-02/4/621-0010

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*Karen Buzinski*  
Karen Buzinski

**CUSTOMER NUMBER****24024****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/711,353 Confirmation No. 5352  
Applicant : Williams et al.  
Filed : September 13, 2004  
Title : **INTRINSIC GAUGING FOR TUBE FITTINGS**  
TC/A.U. : 2859  
Examiner : not yet assigned  
Docket No. : 22188/06858  
Customer No. : 24024

VIA FACSIMILE 703-746-9195

Office of Initial Patent Examination's Filing Receipt Corrections  
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**REPLY TO RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT  
Domestic Continuity and Foreign Priority**

Sir:

Applicant's attorney respectfully requests a corrected filing receipt to include an omission by the Patent Office. A copy of the recently received Patent Office Response to Request for Corrected Filing Receipt and of the updated filing receipt is enclosed for your convenience.

Applicant's attorney filed the above-identified patent application electronically and included the priority claim on the first page in the first paragraph of the specification (copy of page 1 of the specification is enclosed). Applicant's attorney also included an Application Data Sheet (copy enclosed) at the time of filing which included a continuing data section. The sixth and last paragraph of the continuing data section in the Application Data Sheet included the

Appl. No. 10/711,353

priority claim omitted by the U.S. Patent Office, namely, US application number 09/395,386, filed 1999-09-13 is a Non-Provisional of US application number 60/159,965, filed 1999-10-18.

Please provide a corrected filing receipt to include the priority claim which was made at the time of filing the above-identified application.

Respectfully submitted,

Date: 2/16/05

Ker Smith

Kenneth J. Smith, Reg. No. 45,115  
Telephone: 216-622-8674



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(e) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/711,353	09/13/2004	Peter C. Williams	22188/06858

24024  
CALFEE HALTER & GRISWOLD, LLP  
800 SUPERIOR AVENUE  
SUITE 1400  
CLEVELAND, OH 44114

CONFIRMATION NO. 5352

\*OC000000015107413\*

Date Mailed: 02/03/2005

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

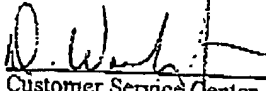
- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☐ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☒ A claim for priority cannot be made based on an application filed after the application making the claim. 65/159,965
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: Country, Application number, Filing date.
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

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- ☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.
- ☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.

  
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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/711,353	09/13/2004	2859	1640	22188/06858	20	42	7

24024  
CALFEE HALTER & GRISWOLD, LLP  
800 SUPERIOR AVENUE  
SUITE 1400  
CLEVELAND, OH 44114

**CONFIRMATION NO. 5352**

## UPDATED FILING RECEIPT

\*OC000000015107482\*

Date Mailed: 02/03/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

**Peter C. Williams, Cleveland Heights, OH;  
Lonnie E. Johnston, Aurora, OH;  
John D. Karkosiak, Broadview Heights, OH;  
Gerald A. Babuder, Mentor, OH;  
Sanjeev S. Moghe, Northfield Center, OH;**

### Assignment For Published Patent Application

SWAGELOK COMPANY, Solon, OH

**Power of Attorney:** The patent practitioners associated with Customer Number 24024.

**Domestic Priority data as claimed by applicant**

This application is a CIP of PCT/US03/07739 03/12/2003  
which is a CON of 10/095,841 03/12/2002 PAT 6,640,457  
which is a CIP of PCT/US00/24900 09/12/2000  
and is a CON of 09/924,030 08/07/2001 PAT 6,502,323  
which is a CON of 09/395,386 09/13/1999 PAT 6,279,242

## Foreign Applications

**If Required, Foreign Filing License Granted: 10/13/2004**

**The country code and number of your priority application, to be used for filing abroad under the Paris**

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D.C. IP. Dept.

Convention, is **US10/711,353**

Projected Publication Date: 05/12/2005

Non-Publication Request: No

Early Publication Request: No

**Title**

Intrinsic Gauging For Tube Fittings

**Preliminary Class**

033

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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